

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

REV. AUGUSTUS SIMMONS ENOXH,)	
)	
Plaintiff,)	Civil Action No. 2:22-819
)	
vs.)	United States District Judge
)	Cathy Bissoon
M. HICE, <i>et al.</i> ,)	
)	
Defendants.)	United States Magistrate Judge
)	Richard A. Lanzillo

MEMORANDUM ORDER

This case has been referred to United States Chief Magistrate Judge Richard A. Lanzillo for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On August 14, 2024, Judge Lanzillo issued a Report (“R&R,” Doc. 91) recommending that the Court grant the Motion for Summary Judgment limited to exhaustion of administrative remedies filed by Defendants Terry Strait, Ashley Stilton, Jennifer Zebley, Martin Switzer, Maureen Malanoski, Ashley Layton, Stephen Buzas, Ashley Booker, Kevin Meitzler, Valerie Grabowski, William Nicholson, Kulik, Mark Dialesandros, Micah High, Trout, Coulehan, Lori Jozefik, Loraine Kaylor, Melodie Sibanda, Jennifer Beers, and Kennedy (“DOC Defendants”) (Doc. 61).

Service of the R&R was made on Plaintiff, and he has filed Objections (Doc. 92). The DOC Defendants have filed a Response in Opposition to Plaintiff’s Objections (Doc. 93). After a *de novo* review of the pleadings and documents in this case, together with the R&R, Plaintiff’s Objections thereto, and the DOC Defendants’ Response to Plaintiff’s Objections, Plaintiff’s Objections (Doc. 92) are overruled, and Judge Lanzillo’s R&R will be adopted as the

opinion of the district court.

IT IS FURTHER ORDERED that the DOC Defendants' Motion for Summary Judgment (Doc. 61) is **GRANTED** and that Plaintiff's claims against the DOC Defendants are DISMISSED with prejudice for failure to exhaust administrative remedies and procedural default.

IT IS SO ORDERED.

September 16, 2024

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF):

All counsel of record

(via U.S. Mail):

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